

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:15-CR-20-BO-1

| | | |
|--------------------------|---|--------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| JOHNELL THOMAS HODGES, |) | |
| |) | |
| Defendant. |) | |

This case comes before the court on defendant's motion (D.E. 36) to clarify the conditions of pretrial release set in an order (D.E. 12) entered by the undersigned on 8 January 2015 ("release order"). The government indicated to the court that it did not intend to respond to the motion. The motion is ALLOWED on the terms specified herein.

The motion requests that the court clarify for the United States Probation Office in Norfolk, Virginia, which is supervising defendant because he resides in the Eastern District of Virginia, that the release order, while providing for electronic monitoring, did not place him on home detention or any of the other location restriction programs described in the form language in paragraph 7(p) of the release order. Defendant's understanding is correct. While the court considered all of location restriction programs in preparing the release order, it ultimately determined that the record before it did not show that any of them was necessary to reasonably assure the appearance of defendant as required or the safety of any other person and the community pending his trial.

Accordingly, in response to defendant's motion, the court earlier today directed the Probation Office in this district to contact the Probation Office in Norfolk—whose conscientiousness in carrying out the release order the court acknowledges—with the necessary

clarification. That clarification has now been effected. The motion is therefore resolved and the clerk is directed to terminate it.

This, the 23rd day of February 2015.



James E. Gates
United States Magistrate Judge